

MEMORANDUM

To : Consultee

From : Ms Heather Carlisle, Planning Services, Blueschool House - H31

Tel : 01432 260453 My Ref : 202391

Date : 28 July 2021

APPLICATION NO & SITE ADDRESS: Planning Re-consultation - 202391 - Riverside Flats, Wye Street, Ross-on-Wye, Herefordshire, HR9 7BX

DESCRIPTION: Proposed conversion of and extension to the existing Riverview Flats building to form 6no. 2-bed apartments with new end staircores and additional storey above

APPLICANT(S): Mr Denver Rollings

GRID REF: OS 359647, 224101

APPLICATION TYPE: Planning Permission

WEBSITE LINK: <http://www.herefordshire.gov.uk/searchplanningapplications>

Re- Pre-appeal work – Ecology

Amended ☐ Additional ☐ Amended and Additional ☐ Re-Consultation ☒

Plans or documents have been received for the proposal described above which are now available in Wisdom. If you have any further comments to make please respond by 11/08/2021.

Should you require further information please contact the Case Officer.

Any comments should be added below and actioned in Civica to Ms Heather Carlisle.

Comments: Ecology (J Bisset)

Ecology report and accompanying appendix 1 "Bat mitigation strategy" by Clarke Webb Ecology Limited dated 28th June 2021 refers

It is noted that works that could have impacted existing bat roosting features have been disturbed/removed between 2017 and 2020. No evidence of surveys or any Natural England Species Licences being obtained has been supplied.

The report indicates evidence by way of droppings for multiple roosting locations of Lesser Horseshoe bats and various locations and elevations within the whole block.

The most recent single optimal; period bat survey 21-22nd June is noted (classed as a single survey under current BCT survey guidelines as dusk and dawn were over one night time period).

The report indicates only 1 surveyor was present and so not all aspects of the building were covered during each relevant survey time – no additional potentially useful/relevant equipment such as static recorders, IR or thermal imaging was utilised to help support the survey undertaken. – there is an identified potential for current bat roosting and usage of the building not to be fully considered at this

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time. This is particularly relevant with very directional echo locating bat species and those known to leave roosts late or return early well before any light changes occur (as in this case – Lesser Horseshoe) – the potential for this type of activity increases during short nights in mid-summer or when young may be present in the roost.

The proposed mitigation is based on potentially old/out of date/invalid, inaccurate or incomplete information due the lack of a current fully detailed optimal period assessment as would be expected to support a planning application decision and a subsequent Protected Species Licence application to Natural England.

The proposed mitigation only appears to consider bat roosting compensation at one level of the building (below ground 'bat cellar'). The proposed bat cellar would have bat restricted access under a decking void. The decking being used by residents as part of the shared access to the new development and as such subject bats would be subject to potential disturbance at all times during their normal roost use, including by noise, light, and similar the actual exit from the decking would also be open to disturbance and damage by normal use of the new development. There is no evidence that the 'bat cellar' located under the stairwell, adjacent to the proposed garage facilities and any storage space will provide the quiet, undisturbed roosting space required by any bat species, but in particular Lesser Horseshoe that are normally regarded as being one of the more 'sensitive' species.

The applicant has not supplied any information supporting that their approach would be acceptable to Natural England species licensing – eg a positive response from Natural England through their species licensing pre-application advice service.

Considering the lack of detailed current survey data and information to fully determine and assess current bat roosting and use of the wider site; the limited consideration of identified and known widespread bat roosting through the proposed mitigation; potential disturbance and blocking of proposed bat mitigation (bat cellar and under decking access at low level) the LPA is unable to have the required certainty (beyond all reasonable doubt) that Natural England would grant the required protected species licence and any planning consent granted would be contrary to Core Strategy SD3/4, SS1, SS6 and LD1-3; The Conservation of Habitats and Species Regulations 2017, as amended by the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019' (the 'Habitats Regulations'); Wildlife & Countryside Act (1981 amended); NPPF (2021); and NERC Act (2006) duty of care. Council's declared Climate Change and Ecological Emergency.

DATE RETURNED: ...06/08/2021...